

RENTON CITY COUNCIL
Regular Meeting

June 18, 2007
Monday, 7 p.m.

Council Chambers
Renton City Hall

MINUTES

CALL TO ORDER

Mayor Kathy Keolker called the meeting of the Renton City Council to order and led the Pledge of Allegiance to the flag.

**ROLL CALL OF
COUNCILMEMBERS**

TONI NELSON, Council President; DON PERSSON; MARCIE PALMER; TERRI BRIERE; DENIS LAW; DAN CLAWSON. MOVED BY NELSON, SECONDED BY PERSSON, COUNCIL EXCUSE ABSENT COUNCILMEMBER RANDY CORMAN. CARRIED.

**CITY STAFF IN
ATTENDANCE**

KATHY KEOLKER, Mayor; JAY COVINGTON, Chief Administrative Officer; LAWRENCE J. WARREN, City Attorney; BONNIE WALTON, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; ALEX PIETSCH, Economic Development Administrator; DON ERICKSON, Senior Planner; MARTY WINE, Assistant CAO; PREETI SHRIDHAR, Communications Director; CHIEF I. DAVID DANIELS, Fire Department; COMMANDER KENT CURRY, Police Department.

**SPECIAL
PRESENTATIONS**

Regional Issues: Puget Sound
Regional Council Vision 2040

Ivan Miller, Principal Planner with Puget Sound Regional Council (PSRC), gave a presentation on VISION 2040, which updates the 1995 VISION 2020 planning strategy. He explained that the role of VISION 2040 is an overreaching and long-range growth management, economic, and transportation strategy for the central Puget Sound region. The functional transportation and economic plans provide an additional level of detail, and the strategy integrates regional objectives and provides broad direction. Mr. Miller pointed out that what drives the VISION update is how and where future growth can be accommodated while protecting the environment, economic prosperity, and overall quality of life.

Mr. Miller reviewed each of the four parts that are contained in VISION 2040, which are: environmental framework, regional growth strategy, multicounty planning policies, and actions and measures. He stated that the value of the strategy to local governments is as follows: regional context for local decision making, work together to bend growth trends, and address issues that are difficult to resolve at the individual jurisdiction level. In conclusion, Mr. Miller noted the VISION 2040 participation opportunities at upcoming open houses.

Economic Development Administrator Pietsch said when the VISION 2040 document is adopted and the multicounty planning policies are established, the King County Growth Management Planning Council will take the preferred growth alternative and integrate it throughout King County. He explained that cities in King County will be expected to accommodate many new people by 2040, and Renton will review its capacity to determine whether any amendments need to be made to zoning and land use regulations. Mr. Pietsch noted that Renton is meeting the VISION 2020 growth targets, and will be able to accommodate growth by 2040 without significant policy shifts.

City Clerk: Comcast Cable
Overview

Assistant CAO Wine noted that the City is considering the renewal of the franchise with Comcast Cable, and she introduced Terry Davis, Regional Director of Franchising and Government Affairs for Comcast, who gave an overview of the services that the cable company provides. Mr. Davis pointed

out that the Telecommunications Act of 1996 eliminated the barriers to competition, and since then, Comcast has invested over \$40 billion in broadband technologies. He stated that Renton has approximately 19,000 cable subscribers and the amount of franchise fees and utility taxes Comcast paid to the City in 2006 was \$1,517,010.

Regarding analog transition, Mr. Davis reported that as of the Congress-set deadline date of 2/17/2009, broadcasters will no longer be able to broadcast their signal through the analog spectrum. Therefore, Comcast is working to make sure its video services, such as bandwidth management, digital simulcast, and video on demand, are robust, and that digital-quality service demands can be met. He further reported that technology improvements are increasing high-speed Internet speeds. Mr. Davis pointed out that the U.S. Supreme Court ruled that the Internet is not a cable modem service, but an interstate information service regulated by the Federal Communications Commission (FCC).

Continuing, Mr. Davis reported that Comcast has invested in competitive phone service, and is employing technologies to provide better customer service and better monitoring of its system. He stated that there are 750 local customer service representatives based in Fife and Everett, with a third call center scheduled to open in Lynnwood in July 2007. Concluding, Mr. Davis noted the FCC 621(a)(1) Report and Order regarding how much can be regulated and negotiated under a contract, and the proposed Statewide franchising bill.

Councilmember Briere pointed out the lack of a service location where new cable boxes can be picked up in the Renton area.

PUBLIC HEARINGS

Annexation: Aster Park, NE
Sunset Blvd

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Keolker opened the public hearing to consider annexation and R-4 zoning of 19.85 acres, including the SR-900 right-of-way, located along the south side of NE Sunset Blvd. (SR-900), west of 148th Ave. SE, north of SE 112th St., if extended, and east of 144th Ave. SE, if extended (Aster Park).

Senior Planner Erickson reported that the site contains a new 37-lot single-family subdivision, two existing homes, and the 37-space Fir Grove Mobile Home Park. Mr. Erickson indicated that the site slopes to the south on its eastern portion and to the southwest (towards Honey Creek) on its western portion. Public services are provided by Fire District #10, Water District #90, Renton sewer, and the Issaquah School District.

Mr. Erickson stated that current King County zoning for the annexation site is R-48, 48 dwelling units per gross acre, and R-4, which bonuses up to six units per gross acre. The area is designated Residential Low Density by Renton's Comprehensive Plan, for which R-4 (four dwelling units per net acre) zoning is recommended. He noted that staff is currently working on a text amendment to allow Residential Manufactured Home Park zoning under the Residential Low Density land use designation.

Turning to the fiscal impact analysis that assumes a potential of 61 single-family homes at full development and a new assessed home value of \$500,000, Mr. Erickson estimated a deficit of \$8,707 at current development, and a surplus of \$23,892 at full development. The estimated one-time parks development cost is \$27,724. Mr. Erickson concluded that the proposed annexation is within the best interests and general welfare of the City, and furthers City business goals.

Public comment was invited.

Donald Arsenault, PO Box 1492, Tacoma, 98401, stated that he is a commercial investment real estate broker representing the owner of the Fir Grove Mobile Home Park property. He noted the loss of property value due to the rezone, wanting assurance that an 80-unit use is possible on the property. Additionally, Mr. Arsenault questioned whether zoning bonuses apply to the mobile home park site.

Mr. Erickson indicated that Renton does not currently provide a bonus mechanism, and that the allowable use would be determined during the environmental review process.

There being no further public comment, it was MOVED BY BRIERE, SECONDED BY CLAWSON, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED.

MOVED BY BRIERE, SECONDED BY CLAWSON, COUNCIL BEGIN EFFECTUATING THE 19.85-ACRE ASTER PARK ANNEXATION BY HOLDING FIRST READING OF THE ANNEXATION ORDINANCE, AND BEGIN CONCURRENT REZONING OF THE NON-STREET PORTIONS OF THE SITE BY HOLDING FIRST READING OF THE ORDINANCE REZONING SIX ACRES FROM KING COUNTY'S R-48 ZONE TO RENTON'S R-4 ZONE AND BY HOLDING FIRST READING OF THE ORDINANCE REZONING APPROXIMATELY 12.17 ACRES FROM KING COUNTY'S R-4 ZONE TO RENTON'S R-4 ZONE. CARRIED. (See page 211 for ordinances.)

Annexation: Marshall, Duvall
Ave NE & NE Sunset Blvd

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Keolker opened the public hearing to consider the 60% Petition to Annex and R-8 zoning for the proposed Marshall Annexation; 7.6 acres located adjacent and immediately west of Duvall Ave. NE, just north of the commercial development at the northwest corner of Duvall Ave. NE and NE Sunset Blvd. The western boundary is Anacortes Ave. NE, if extended, and the northern boundary is NE 17th St., if extended.

Senior Planner Erickson stated that the site, which is completely surrounded by the City, contains 26 single-family dwellings. The relatively-flat site drains to Honey Creek via City facilities on Duvall Ave. NE. Reviewing the public services, he said the site is served by Fire District #25, Renton water and sewer, and the Renton School District. Mr. Erickson relayed that the Planning/Building/Public Works Department noted the following: the 2005 King County Surface Water Design Manual should be used at the time of future development, existing water mains are old and undersized and need to be replaced, and existing streets will need resurfacing to come up to City standards.

Mr. Erickson explained that existing King County zoning is R-4 (four dwelling units per gross acre), and the City's Comprehensive Plan designates the site as Residential Single Family, for which R-8 zoning is proposed. He noted the existence of a proposed Comprehensive Plan amendment for this area, pointing out that the Planning Commission feels that any rezoning along Duvall Ave. NE is untimely, as major widening of Duvall is proposed and residential accessibility will be compromised during construction.

Continuing, Mr. Erickson reported that the fiscal impact analysis indicates a deficit of \$3,009 at current development and a surplus of \$4,429 at full development. The one-time parks acquisition and development cost is estimated at \$33,102. In conclusion, he stated that the annexation proposal is consistent with City policies and Boundary Review Board objectives.

In response to Council inquiries, Mr. Erickson indicated that private roads will remain private if the area is annexed, and they are not eligible for resurfacing by the City. He confirmed that the existing CPA business would be grandfathered in as a non-conforming use, and the site cannot be redeveloped until it is rezoned.

Public comment was invited.

Charles Grass said he owns the CPA firm property at 10733 138th Ave. SE, Renton, 98059, which has been vacant since November. Reporting that he intends to redevelop the property as an office building, Mr. Grass stated his belief that the property should be commercial as it abuts commercial activity to the south and has been used in commercial activities in the past. He encouraged Council to annex and rezone the property into a commercial activity.

There being no further public comment, it was MOVED BY BRIERE, SECONDED BY CLAWSON, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED.

MOVED BY BRIERE, SECONDED BY CLAWSON, COUNCIL: ACCEPT THE MARSHALL ANNEXATION 60% DIRECT PETITION TO ANNEX; AUTHORIZE THE ADMINISTRATION TO SUBMIT THE NOTICE OF INTENT PACKAGE TO THE BOUNDARY REVIEW BOARD, AND CONSIDER R-8 ZONING CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN RESIDENTIAL SINGLE FAMILY DESIGNATION IF THE AREA SUBSEQUENTLY ANNEXES. CARRIED.

Discussion ensued regarding the proposed Comprehensive Plan amendment and the non-conforming legal use status of the existing structure on Mr. Grass's property.

ADMINISTRATIVE REPORT

Chief Administrative Officer Covington reviewed a written administrative report summarizing the City's recent progress towards goals and work programs adopted as part of its business plan for 2007 and beyond. Items noted included:

- * The Coulon Family Concert Series will be held every Wednesday, from June 27 through August 15, with the Renton City Concert Band kicking off this summer's entertainment schedule.
- * The City of Renton Clean Sweep! Program continues, with participating neighborhood organizations taking part in the Neighborhood Cleanup event on June 23. On June 30, occupants of all single-family residences can place a variety of unwanted materials at their curbside for free pickup during the Load Zone Neighbor-to-Neighbor Curbside Cleanup event.

AUDIENCE COMMENT

Citizen Comment: O'Halloran -
Heritage Park

Mike O'Halloran, 4420 SE 4th St., Renton, 98059, said the dedication of Heritage Park located on Union Ave. NE occurred last Saturday, and he thanked the City for funding the new park. Mayor Keolker expressed her

appreciation to Mr. O'Halloran and the other Municipal Arts Commission members for commissioning a piece of artwork for the park.

Citizen Comment: Aquino -
Heritage Park

Tarron Aquino, 4317 SE 4th Pl., Renton, 98059, stated that she also attended the Heritage Park dedication. She pointed out that on that day, she noticed many people walking and playing outside, and expressed her hope that the trend continues. Ms. Aquino voiced her appreciation for the park.

Citizen Comment: Clifford -
Renton Transit Center Safety

Chris Clifford, 2721 Talbot Rd. S., Renton, 98055, expressed concern regarding the continuing and escalating problems with violence and unacceptable behavior at the Renton Transit Center. Stating that the Renton police are doing the best they can, he stressed that King County Metro needs to help Renton deal with the safety problems and encouraged Council to pursue their assistance. Mr. Clifford noted that in Everett, an affected bus run was rerouted away from the transit center in efforts to curb the problems. He feared that problems at the transit center will negatively affect the vitality of the downtown area.

Councilmember Clawson indicated that statistics are not showing an escalation of violence at the transit center. He stated that the City, the school district, and King County have been working together to reduce the problems, and he emphasized that Renton is actively addressing the matter.

CONSENT AGENDA

Items on the consent agenda are adopted by one motion which follows the listing.

Council Meeting Minutes of
6/11/2007

Approval of Council meeting minutes of 6/11/2007. Council concur.

Court Case: Jessica Warden,
CRT-07-005

Court Case filed on behalf of Jessica Warden by Albert M. Raines challenging the alleged unlawful detention of Ms. Warden relating to a 3/16/2007 DUI charge in Renton Municipal Court. Refer to City Attorney and Insurance Services.

Court Case: Yakima County,
CRT-07-006

Court Case filed by Yakima County claiming Renton was not entitled to terminate the agreement for the housing of inmates by Yakima County Department of Corrections for cause. Refer to City Attorney and Insurance Services.

Finance: Utility Bill
Adjustment, Renton Housing
Authority

Finance and Information Services Department submitted request from the Renton Housing Authority for a utility bill adjustment due to a water leak and recommended granting the adjustment in the amount of \$14,158.35. Refer to Finance Committee.

Fire: Hazardous Materials
Position Conversion

Fire Department recommended approval of the conversion of the Hazardous Materials Specialist position (Local 2170) to a uniformed Lieutenant position (Local 864) assigned as a Hazardous Materials Coordinator. Council concur.

CAG: 06-066, Airport
Entrance Rehabilitation,
Construct Co

Transportation Systems Division submitted CAG-06-066, Airport Entrance Rehabilitation; and requested approval of the project, commencement of 60-day lien period, and release of retained amount of \$19,133.42 to Construct Co., contractor, if all required releases are obtained. Council concur.

MOVED BY NELSON, SECONDED BY LAW, COUNCIL APPROVE THE
CONSENT AGENDA AS PRESENTED. CARRIED.

RESOLUTIONS AND ORDINANCES

The following ordinances were presented for first reading and referred to the Council meeting of 6/25/2007 for second and final reading:

Annexation: Aster Park, NE

An ordinance was read annexing approximately 19.85 acres of property located

- Sunset Blvd immediately south of NE Sunset Blvd. and immediately west of 148th Ave. SE (Aster Park Annexation). MOVED BY BRIERE, SECONDED BY CLAWSON, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 6/25/2007. CARRIED.
- Annexation: Aster Park, R-4 Zoning (12.17 Acres) An ordinance was read establishing the zoning classification for approximately 12.17 acres located immediately south of the south side of NE Sunset Blvd. on the north, west of the west side of 148th Ave. SE, and north of the midpoint of SE 112th St., if extended, on the south, from R-4 (Urban Residential - four dwelling units per acre, King County zoning) to R-4 (Residential - four dwelling units per acre, Renton zoning); Aster Park Annexation. MOVED BY BRIERE, SECONDED BY CLAWSON, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 6/25/2007. CARRIED.
- Annexation: Aster Park, R-4 Zoning (6 Acres) An ordinance was read establishing the zoning classification for approximately six acres located immediately south of the south side of NE Sunset Blvd. on the north, west of the new Aster Park Subdivision, and north of the midpoint of SE 112th St., if extended, on the south, from R-48 (Urban Residential - 48 dwelling units per acre, King County zoning) to R-4 (Residential - four dwelling units per acre, Renton zoning); Aster Park Annexation. MOVED BY BRIERE, SECONDED BY CLAWSON, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 6/25/2007. CARRIED.
- The following ordinances were presented for second and final reading and adoption:
- Ordinance #5291**
Fire: Assistance to Firefighters Grant, Purchase of Self-Contained Breathing Apparatus, Budget Amend An ordinance was read amending the 2007 Budget to authorize \$429,420 from grant reimbursement to the general fund balance for the purpose of purchasing equipment for the Renton Fire Department. MOVED BY LAW, SECONDED BY PERSSON, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.
- Ordinance #5292**
Fire: Emergency Management Performance Grant, WA State Military Department, Budget Amend An ordinance was read amending the 2007 Budget by using \$66,714 from the Fund 000 fund balance for the purpose of supplemental funding to support the City's emergency management program. MOVED BY LAW, SECONDED BY BRIERE, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.
- NEW BUSINESS**
Citizen Comment: Heuschel - IKEA Performing Arts Center Reporting receipt of a letter from Dr. Mary Alice Heuschel, Renton School District Superintendent, 300 SW 7th St., Renton, 98057, requesting financial assistance for the Renton IKEA Performing Arts Center, it was MOVED BY LAW, SECONDED BY PERSSON, COUNCIL REFER THIS CORRESPONDENCE TO THE FINANCE COMMITTEE. CARRIED.
- ADJOURNMENT**
MOVED BY NELSON, SECONDED BY PERSSON, COUNCIL ADJOURN. CARRIED. Time: 8:40 p.m.

Bonnie I. Walton, CMC, City Clerk